

UNITED STATES DISTRICT COURT
for the
Eastern District of Pennsylvania

United States of America)
v.)
Marwin Martin Cordova-Martinez,) Case No. 18-747-M
a/k/a "Martinez, Marvin M.")
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 10, 2018 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

Title 8, United States Code, Section 1326(a).

On or about May 10, 2018, in Philadelphia, Philadelphia County, Pennsylvania, defendant Marwin Martin Cordova-Martinez, a/k/a "Martinez, Marvin M.", an alien, and native and citizen of Honduras who had previously been deported and removed from the United States on or about February 28, 2007, was found in the United States, having knowingly and unlawfully reentered the United States, in violation of Title 8, United States Code, Section 1326(a).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.

Y. Hart
Complainant's signature

Sean McLoughlin, Deportation Officer, ICE

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/10/2018

City and state: Philadelphia, PA

The Hon. Lynne A. Sitarski, N.S. Magistrate Judge

- Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AFFIDAVIT

1. I, Sean McLaughlin, am a Deportation Officer at U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). I served as a United States Immigration Enforcement Agent beginning in October of 2007, and I have served as a Deportation Officer with ICE since September of 2015. As a Deportation Officer, I conduct investigations related to violations of the Immigration and Nationality Act, specifically foreign-born nationals that have been deported from the United States and subsequently reentered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations Philadelphia, Pennsylvania Field Office and my duties include investigating violations of Title 8 of the United States Code, to include violations of immigration offenses.

2. This affidavit is made in support of a criminal complaint against Marwin Martin CORDOVA-MARTINEZ (a/k/a “MARTINEZ, Marvin M.”) where there is probable cause to believe CORDOVA-MARTINEZ, an alien, reentered the United States after deportation, in violation of 8 U.S.C. § 1326(a).

3. During the course of my duties, I became involved in the investigation of CORDOVA-MARTINEZ. According to the documents obtained from his alien file (“A-File”), CORDOVA-MARTINEZ is a native and citizen of Honduras who was formally removed from the United States to Honduras on three prior occasions: February 28, 2007; April 27, 2011; and June 23, 2017.

4. I have reviewed CORDOVA-MARTINEZ’s immigration history documents, which were copied from his official A-File (A 098 882 936), which is maintained by the National

Records Center. The following representations are based on my review of these immigration documents and DHS electronic records and databases:

- a. CORDOVA-MARTINEZ is a citizen and national of Honduras.
- b. There is no evidence in his A-File that CORDOVA-MARTINEZ is a citizen or national of the United States.
- c. CORDOVA-MARTINEZ's date of birth is April 13, 1984.
- d. On April 4, 2005, CORDOVA-MARTINEZ was arrested by the United States Border Patrol for entering the United States without inspection by an Immigration Officer. On April 4, 2005, the United States Border Patrol served CORDOVA-MARTINEZ with a Notice to Appear before an Immigration Judge. On February 28, 2007, CORDOVA-MARTINEZ was formally removed from the United States to Honduras via Chandler, Arizona.
- e. On March 31, 2011, CORDOVA-MARTINEZ was arrested by the United States Border Patrol for reentering the United States without inspection by an Immigration Officer. On March 31, 2011, the United States Border Patrol served CORDOVA-MARTINEZ with a Notice of Intent/Decision to Reinstate Prior Order. On April 27, 2011, CORDOVA-MARTINEZ was formally removed from the United States to Honduras via San Antonio, Texas.
- f. On June 19, 2017, CORDOVA-MARTINEZ was arrested by the United States Border Patrol for reentering the United States without inspection

by an Immigration Officer. On June 19, 2017, the United States Border Patrol served CORDOVA-MARTINEZ with a Notice of Intent/Decision to Reinstate Prior Order. On June 23, 2017, CORDOVA-MARTINEZ was formally removed from the United States to Honduras via Brownsville, Texas.

5. On March 30, 2018, CORDOVA-MARTINEZ was arrested by the Philadelphia Police Department and charged in the Court of Common Pleas in the County of Philadelphia with unlawful restraint, false imprisonment, indecent assault, and corruption of minors based on conduct that occurred on December 16, 2017. Upon arrest, CORDOVA-MARTINEZ was assigned Pennsylvania State Identification Number PA45116387 and fingerprinted.

6. On May 10, 2018, CORDOVA-MARTINEZ was arrested a second time by the Philadelphia Police Department and charged in the Court of Common Pleas in the County of Philadelphia with unlawful restraint, false imprisonment, indecent assault, corruption of minors and endangering the welfare of children based on what appears to be additional conduct that occurred on December 16, 2017. Upon arrest, CORDOVA-MARTINEZ was again fingerprinted.

7. On May 10, 2018, the ICE Law Enforcement Support Center (“LESC”) ran CORDOVA-MARTINEZ’s fingerprints obtained from his May 10, 2018 arrest through law enforcement databases and determined that they matched the fingerprints already on file for an individual under the name CORDOVA-MARTINEZ, with FBI number 741198HC3, Pennsylvania State Identification Number PA45116387; and Alien Registration Number A098882936.

8. On May 10, 2018, I reviewed the criminal history report for the individual with FBI number 741198HC3. This report lists the name of the individual as Marwin Martin

CORDOVA-MARTINEZ, a/k/a MARTINEZ, Marvin M., and lists Honduras as his place of birth and citizenship. The criminal history report reflects arrest dates of April 3, 2005, March 11, 2011, and June 19, 2017 in connection with alien inadmissibility, disposed of through removal from the United States. The report also includes Philadelphia charges from March 30, 2018 and May 10, 2018. Those criminal cases are pending disposition.

9. On May 10, 2018, I thoroughly reviewed all DHS computer indices and found no indication that CORDOVA-MARTINEZ applied for or was granted permission to re-enter the United States after his removal on June 23, 2017.

10. Based upon all of these facts, there is probable cause to believe that CORDOVA-MARTINEZ is an alien who was deported from the United States, and that he is currently in the United States without the express consent of the United States Attorney General or Secretary of the Department of Homeland Security. Thus, there is probable cause to believe that CORDOVA-MARTINEZ reentered the United States in violation of 8 U.S.C. § 1326(a) (Re-Entry into the United States after Deportation). I respectfully ask that this Honorable Court issue a warrant ordering his arrest for such crime.



Sean McLaughlin
Deportation Officer
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN TO BEFORE ME
THIS 10th DAY OF MAY 2018



Honorable Lynne A. Sitarski
United States Magistrate Judge
Eastern District of Pennsylvania